United Nations S/2009/15

Security Council

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8 January 2009
English
Original: Spanish

Letter dated 5 January 2009 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to address you in my capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement concerning the serious situation in the Gaza Strip.

The members of the Non-Aligned Movement are following events on the ground with great concern and strongly condemn the military aggression that Israel, the occupying Power, is carrying out against Gaza.

In flagrant disregard of the international community's appeals for the cessation of military activities and of the ongoing diplomatic efforts to resolve the crisis, Israel has further escalated its military offensive by launching a ground invasion of Gaza.

As a result of these activities, thousands of innocent civilians, including many Palestinian children, have already died or been injured.

On behalf of the Movement, I would like to thank you and your team for your efforts and for your vigorous action aimed at bringing an end to the military activities and addressing effectively the serious humanitarian crisis arising from the immolation of Gaza.

I would like to reiterate that you will always be able to rely on the support of the Non-Aligned Movement and that we stand ready to take any action that you may deem appropriate in support of your work.

I attach herewith a copy of the statement made today by the Coordinating Bureau of the Non-Aligned Movement concerning the escalation of Israel's military attack on the Gaza Strip (see annex).

I would be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda items 15 ("The situation in the Middle East"), 16 ("The question of Palestine"), 29 ("United Nations Relief and Works Agency for Palestine Refugees in the Near East"), 30 ("Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories") and 38 ("Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources").

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I also request that this letter and the annex thereto should be circulated as a document of the Security Council.

(*Signed*) Abelardo **Moreno Fernández**
Ambassador
Permanent Representative of Cuba to the United Nations
Chairman of the Coordinating Bureau of the Non-Aligned Movement

Annex to the letter dated 5 January 2009 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

[Original: English]

Statement by the Coordinating Bureau of the Non-Aligned Movement on the Escalation of the Israeli military aggression against the Gaza Strip in the Occupied Palestinian Territory

The Coordinating Bureau of the Non-Aligned Movement (NAM) strongly condemns the escalation of the military aggression being carried out by Israel, the occupying Power, in the Gaza Strip. NAM is gravely concerned by and condemns in particular the launching of the Israeli ground invasion in Gaza in flagrant defiance of the calls by the international community for a cessation of military activities and of the regional and international diplomatic efforts under way to resolve the current crisis.

NAM expresses its deep regret at the loss of innocent life as a result of the ongoing Israeli military attacks against the Strip, including the killing of more than 460 Palestinian civilians, among them several children, and the injuring of nearly more than 2,500 other civilians, as well as the massive destruction of property and infrastructure in the Gaza Strip.

NAM reiterates that this unacceptable Israeli military aggression against the Palestinian civilian population in the Gaza Strip constitutes a grave breach of international law, including humanitarian and human rights law, fuels the cycle of violence and threatens international peace and security as well as the fragile peace process between the two sides.

NAM calls for an immediate cessation of all military activities and violence and for the implementation of an immediate general ceasefire. Israel should immediately cease all its military attacks and scrupulously abide by all of its obligations, as the occupying Power, under international law and relevant United Nations resolutions. In this regard, the Movement urges Israel to unconditionally comply with its obligations under international law, including the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

In view of the indiscriminate bombings affecting the civilian population, including women and children, as well as the severe humanitarian crisis prevailing in Gaza, NAM also calls for the immediate provision of protection for the Palestinian civilian population in the Gaza Strip in accordance with the relevant provisions of international humanitarian law.

The Movement expresses grave concern about the deepening humanitarian crisis being faced by the Palestinian civilian population in Gaza as a result of the current military actions, the continued closure of all border crossings and the obstruction of access of humanitarian aid, including food and medicines, and the reduction of fuel and electricity supplies to the Gaza Strip by Israel.

In this context, NAM calls upon Israel to end the collective punishment of the Palestinian people and to allow for the immediate and sustained opening of the Gaza

Strip's border crossings to ensure the free access of humanitarian aid and other essential supplies and goods as well as to facilitate the passage of persons to and from the Gaza Strip.

In light of the gravity of this crisis, NAM expresses its deep disappointment at the inability of the Security Council to uphold its responsibilities in maintaining international peace and security. Despite more than a week of sustained military attacks that have gravely affected the civilian population and heightened instability and tensions in the region, the Council has regrettably been unable to take any concrete measure to end the aggression. Once again, the Movement requests the Security Council to act urgently to address this grave situation.

NAM stresses the need for intensified and coordinated efforts by the international community to bring an end to this crisis and to exert all necessary efforts to support and promote the peace process as well as to ensure respect for international law, including international humanitarian and human rights law, the key to a peaceful settlement of the Palestinian-Israeli conflict and the Arab-Israeli conflict as a whole, as the sole means to guarantee a lasting peace in the region.

The Movement is convinced that there is no military solution to the conflict. In this context, NAM reaffirms its commitment to a peaceful solution of the Israeli-Palestinian conflict and to the right of the Palestinian people to exercise self-determination and sovereignty in their independent State of Palestine, on the basis of the 1967 borders, with East Jerusalem as its capital.

New York, 5 January 2009

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8 January 2009

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Report by the Secretary-General concerning the credentials of the alternate representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 8 January 2009 from the Representative of the United States Mission to the United Nations stating that Mr. Thomas Vance McMahan has been appointed alternate representative of the United States of America on the Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

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Security Council

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8 January 2009
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Letter dated 5 January 2009 addressed to the President of the Security Council by the Secretary-General

I have the honour to refer to Security Council resolution 1829 (2008) of 4 August 2008 in which the members of the Security Council approved the establishment of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) for a period of 12 months beginning on 1 October 2008, as I recommended in my report (S/2008/281). In that resolution, the Council requested that the Office should be headed by my Executive Representative, who will also serve as the Resident Representative of the United Nations Development Programme and United Nations Resident Coordinator.

In this context, I wish to inform you of my intention to appoint Mr. Michael von der Schulenburg (Germany) as my Executive Representative for UNIPSIL, who will also serve as Resident Representative of the United Nations Development Programme and United Nations Resident Coordinator. Mr. von der Schulenburg was the Acting Executive Representative.

(*Signed*) **Ban** Ki-moon

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Security Council

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8 January 2009
English
Original: French

Letter dated 8 January 2009 addressed to the Secretary-General by the President of the Security Council

I have the honour to inform you that your letter of 5 January 2009 (S/2009/17) concerning your intention to appoint Mr. Michael von der Schulenburg (Germany) as Executive Representative of the Secretary-General for the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) as well as Resident Representative of the United Nations Development Programme and United Nations Resident Coordinator, has been brought to the attention of the members of the Security Council. They have taken note of the intention expressed in your letter.

(*Signed*) Jean-Maurice **Ripert**
President of the Security Council

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United Nations S/2009/19

Security Council

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8 January 2009
English
Original: French

Letter dated 6 January 2009 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the recent Security Council resolutions on the question of Western Sahara, in which the Council called on the parties to engage in negotiations under the auspices of the Secretary-General.

Following the usual consultations, I intend to appoint Mr. Christopher Ross of the United States of America as my Personal Envoy for Western Sahara. Mr. Ross will work with the parties and the neighbouring States, on the basis of the recent Security Council resolution 1813 (2008) and earlier resolutions and taking into account the progress made to date, in order to achieve a just, durable and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara.

I should also like to take this opportunity to thank Mr. Peter van Walsum, who served as the Personal Envoy of the Secretary-General for Western Sahara from 2005 to 2008. During this period, he held four rounds of talks with the parties and the neighbouring States, as well as numerous consultations and three fruitful visits to the region. I wish to express my appreciation to him for his dedication as one of my principal advisers on this important issue.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

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Security Council

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Letter dated 8 January 2009 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 6 January 2009 (S/2009/19) concerning your decision to appoint Mr. Christopher Ross (United States of America) as your Personal Envoy for Western Sahara has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Jean-Maurice **Ripert**
President of the Security Council

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8 January 2009

Original: English

Nineteenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire

I. Introduction

1. By its resolution 1826 (2008), the Security Council extended the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) and the French Licorne force until 31 January 2009, and requested me to report on the situation in Côte d'Ivoire and provide benchmarks for a possible phased drawdown of the troop levels of UNOCI, taking into consideration the electoral process and the situation on the ground, in particular the security situation. The present report covers major developments since my report of 13 October 2008 (S/2008/645) and presents the findings of a technical assessment mission that visited Côte d'Ivoire from 10 to 14 December 2008.

II. Security situation

2. The overall security situation in the country has remained generally stable. The successful dismantling of the zone of confidence, which was completed in July 2008, has restored the freedom of movement of people, goods and services throughout the country and contributed to the overall improvement in the security situation. However, other factors, such as the continued existence of armed militias and violent youth groups, the incomplete cantonment of former combatants of the Forces nouvelles, the difficulties encountered by the Government to pay allowances to the cantoned Forces nouvelles former combatants, as well as the continued control by the Forces nouvelles zone commanders of local administration in the north, including revenue collection, still draw attention to the fragility of the security situation in the country.

3. Frequent demonstrations by military units demanding payment of allowances were reported in both areas controlled by the Forces nouvelles and areas controlled by the Government. Furthermore, on 24 November, alleged supporters of a former Forces nouvelles zone commander, Zakaria Koné, attacked the newly installed Forces nouvelles leadership in Séguéla. In another incident, on 6 October in Abidjan, unidentified armed elements attacked the residence of the Minister of Construction, Urbanization and Habitat, Marcel Amon Tanoh, and fled following an exchange of fire with the guards. Disruptions of the identification of the population and voter registration operations were also reported, including on 10 October, when

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youths from the Student Federation of Côte d'Ivoire ransacked three registration sites in Abidjan and confiscated the equipment.

4. Inter-community clashes over land issues between returning internally displaced persons and local communities were reported in Abidjan district, Bondoukou, Yocoboué and several villages in the Bas Sassandra region, and resulted in at least 19 persons killed, 43 injured and 400 displaced. Other security incidents that were reported included roadside robberies, killings, ambushes, burglaries and sexual violence, including rape. Efforts by law enforcement agencies to curb criminality continued to be hampered by logistical, financial and human resource constraints facing the national security institutions and the proliferation of arms in the country.

III. Status of implementation of the Ouagadougou Agreement

5. The Ouagadougou Agreement, signed on 4 March 2007, sought to resolve the crisis in Côte d'Ivoire by removing the zone of confidence that had divided the country; re-establishing State administration throughout the country; dismantling the militias and disarming combatants and enrolling them in a civic service programme; merging the Forces nouvelles and the national defence and security forces; refining and accelerating the identification of the population in order to facilitate the registration of those eligible to vote; and organizing a free, fair, open and transparent presidential election. Two supplementary agreements were signed in November 2007: one designating SAGEM, a French private company, as the technical operator for the identification of the population and voter registration, and the other setting new timelines for implementing the remaining key tasks, namely unification of the armed forces; disarmament and reintegration of combatants; restoration of State authority; identification of the population; voter registration; and elections. A further supplementary agreement was signed on 22 December by President Gbagbo and Prime Minister Soro, facilitated by the President of Burkina Faso, Blaise Compaoré. The supplementary agreement clarifies the modalities and timeline for conducting, before the elections, the disarmament of the former combatants of the Forces nouvelles and the dismantling of the militias, for launching the process of reunification of Ivorian defence and security forces, and for completing, by 15 January 2009, the effective redeployment of State administration throughout the country, including the *corps préfectoral* (local authorities), the judiciary and the fiscal and customs administrations.

6. On 10 November, the Facilitator of the Ivorian peace process, President Compaoré of Burkina Faso, convened, in Ouagadougou, the fourth meeting of the Permanent Consultative Framework, which was established under the Ouagadougou Agreement to address any issues arising in the implementation of the Agreement. The Consultative Framework, which comprises President Gbagbo, Prime Minister Soro, the President of the Rassemblement des républicains party, Alassane Ouattara, and the President of the Parti démocratique de Côte d'Ivoire, Konan Bédié, determined that it was no longer feasible to hold presidential elections on 30 November 2008, owing to the accumulated logistical and technical delays. It requested the Independent Electoral Commission to establish, before 31 December 2008, a precise timeline for the identification of the population and voter registration, on the basis of which the parties would agree on a new date for the first round of the presidential elections.

A. Reunifying the country

7. The Ouagadougou Agreement and its supplementary agreements tasked the integrated command centre to police the former zone of confidence and secure the peace process, including the redeployment of State administration throughout the country. The Agreement also tasked the integrated command centre with the responsibility of unifying and restructuring the defence and security forces of Côte d'Ivoire, including by setting up mixed police units. While the mixed police units have been deployed by the integrated command centre into the area formerly covered by the zone of confidence, the unification of the national defence and security forces and the Forces nouvelles remained stalled until the signature of the fourth supplementary agreement on 22 December, mainly owing to continued disagreement on the ranks and numbers of the Forces nouvelles personnel to be integrated into the new national army. Under the fourth supplementary agreement, 4,000 Forces nouvelles personnel are expected to immediately, but temporarily, join the Ivorian police and gendarmerie to provide security during the electoral process, while 5,000 Forces nouvelles elements are expected to join the unified army within the next two years. UNOCI and the Licorne force continued to maintain a support capacity within the integrated command centre, comprised of military, police and civilian personnel, to provide logistical support and assist the centre in its planning and coordination activities.

8. As at 15 December, the strength of the integrated command centre was 518 military personnel drawn from Government forces and the Forces nouvelles, with 260 elements based in Yamoussoukro and 258 elements deployed in the former zone of confidence. Although the centre's communications capacity and mobility improved somewhat, its operations continued to be hampered by financial and logistical constraints. In a new development, in the framework of securing the identification and voter registration operations, over 220 Government forces were deployed to the north, while Forces nouvelles elements, deployed to the south, returned to their bases in the north on 3 December 2008.

B. Disarmament, demobilization and reintegration of former combatants and dismantling of militias

9. Progress in regrouping and demobilizing former combatants of the Forces nouvelles and in dismantling militias has been slow. During the reporting period, only 405 Forces nouvelles combatants were registered and demobilized in Bouaké, bringing the total number of registered ex-combatants to 11,769, of whom 7,704 have opted for reintegration. The fourth supplementary agreement provides for the disarmament of Forces nouvelles former combatants and pro-Government militias at least two months before the elections, with payment by the Government of a $1,000 demobilization package to those declared eligible by the integrated command centre.

10. The national institutions in charge of the reintegration and reinsertion of former combatants and militias continued to face financial and logistical constraints. The national Programme for reinsertion and community rehabilitation received only $10 million from the Government out of the $32.5 million expected for 2008 and no direct contributions from donors, which considerably hampered its activities, while the national civic service programme had to postpone its main reinsertion projects to

2009. As a result, the two programmes provided for the reinsertion of only 675 and 329 former combatants respectively. In order to assist the parties to overcome these shortcomings, UNOCI, in collaboration with the United Nations Development Programme (UNDP), launched 98 microprojects, which benefited 842 ex-combatants during the reporting period.

11. Meanwhile, a joint assessment between the United Nations Mission in Liberia (UNMIL), UNOCI and UNDP, focusing on militias in Liberia, concluded that between 1,500 and 2,000 Liberian ex-combatants were still present at the border with Liberia and needed to be closely monitored.

C. Restoration of State administration throughout the country

12. While substantial progress was made in redeploying civil servants to the north, progress in restoring the operational capacity and full authority of redeployed officials was limited, owing to the reluctance of the Forces nouvelles zone commanders to hand over control of the local administration and to financial and technical constraints. Meanwhile, law enforcement, justice and corrections institutions are still not functional in the north, with only one magistrate designated so far for 10 districts. The fourth supplementary agreement foresees the total restoration of State administration throughout the country by 15 January 2009, including the judiciary and fiscal administration, with the support of UNOCI in terms of provision of security.

13. Dire prison conditions continued to pose a threat to public safety in spite of the rehabilitation of 18 correctional facilities within the country. In a series of three major prison breaks during the reporting period, more than 70 inmates escaped from prisons in Man, Séguéla and Bouaké. This trend underscores the urgency of redeploying the judiciary and correctional services to the north. Meanwhile, in the Government-controlled south, a mutiny at Abidjan's central prison on 13 December reportedly resulted in two deaths and six severely injured inmates.

D. Identification of the population, voter registration and electoral process

14. The identification and voter registration process launched on 15 September 2008 gradually expanded to Abidjan on 29 September, Bouaké on 18 November and 57 additional districts by mid-December 2008. On 14 December, the process was completed in Abidjan district, where 2,078,000 people were identified. Nationwide, approximately 2.8 million people were identified and about 3,000 sites had opened by late December. The process continued to be marred by significant logistical, financial and procedural obstacles. UNOCI contributed to addressing the logistical challenges by providing, at the request of the Independent Electoral Commission and the National Institute of Statistics, substantial logistical airlift capacity and transportation of identification agents and materials through a project called "operation transport".

15. The inventory of 351,888 civil registers identified so far, including those lost or destroyed during the crisis, was published on 15 December. The reconstitution of

the registers is scheduled to conclude in February 2009, to allow those concerned to enrol on the voters list before the end of the voter registration operations.

IV. Deployment of the United Nations Operation in Côte d'Ivoire

A. Military component

16. As at 15 December, UNOCI's military strength stood at 8,020 personnel, including 7,741 troops, 191 military observers and 88 staff officers, against an authorized strength of 8,115. The mission's military personnel included 103 women. Licorne, with a strength of 1,800 personnel, continued to maintain a quick-reaction capability to support UNOCI. The currently ongoing redeployment process of UNOCI troops at 24 camps is scheduled to be completed in February 2009. Two camps are under construction, in Divo and Issia, in addition to the one completed in Adzopé in December. However, the recently concluded technical assessment mission has recommended, as outlined below, a more concentrated battalion deployment posture. With the lifting of the green line, the force increased its mobility to better contribute to securing the implementation of the Ouagadougou Agreement, including the electoral process. In addition to conducting joint and synchronized patrols with UNMIL along the border with Liberia, UNOCI held coordination and liaison meetings with authorities from Burkina Faso, Ghana and Guinea, with a view to strengthening border security arrangements in preparation for the elections.

B. Police component

17. As at 15 December, UNOCI's police strength stood at 1,137 personnel against an authorized ceiling of 1,200, including 387 officers and 750 personnel in six formed police units. Of these, 20 were female officers. The police component continued to assist Ivorian police forces operationally throughout the country and to provide strategic advice and overall security for the peace process. The 600 Forces nouvelles auxiliary personnel, trained by UNOCI in 2006, were further assisted in conducting investigations in the northern part of the country. In cooperation with all stakeholders, 30 capacity-building projects for Ivorian law enforcement agencies were initiated, including in the areas of forensics and crowd control.

V. Humanitarian situation

18. The humanitarian community in Côte d'Ivoire decided not to embark on a conventional consolidated appeal process for 2009, but rather to update the humanitarian strategy and identify gaps that require increased resources, in particular for the protection and reinsertion needs of internally displaced persons in the west and for the nutritional status of vulnerable populations in the north. The Office for the Coordination of Humanitarian Affairs of the Secretariat reported that, while approximately 76,000 internally displaced persons had voluntarily returned to their villages in the west, as at December 2008 some 45,000 internally displaced persons were still living with host families and requiring assistance. Humanitarian

actors and Ivorian authorities continued to work closely to encourage and support the sustainable return of some 120,000 internally displaced persons in the western part of Côte d'Ivoire, including by addressing the lack of social cohesion and resolving protracted land disputes. Meanwhile, in response to the impact of the food crisis in the north, the Central Emergency Response Fund allocated $1 million to the World Food Programme and the United Nations Children's Fund at the end of October, for therapeutic and nutritional care projects for children. Finally, in an effort to strengthen integration, joint United Nations sub-offices were opened in Guiglo and Korhogo, intended to facilitate the planning and coordination of the transition from emergency relief to early recovery and development.

VI. Human rights

19. Acute violations of human rights persisted and included attacks against civilians by armed individuals. Several such attacks occurred on the Duékoué-Bangolo and Guiglo-Taï axes in the west and in cities controlled by the Forces nouvelles. In many instances, the perpetrators ambushed public transport vehicles on the highway, raided private homes and raped women and girls, thereby violating the basic rights of citizens to life, physical integrity, safety, freedom of movement and property. Meanwhile, violations reported in areas controlled by the Forces nouvelles included racketeering, unlawful killings, arbitrary arrest, incommunicado detention, torture and ill-treatment, as well as infringement of the rights to property and to freedom of expression and opinion. Forces nouvelles elements also committed serious human rights violations against demobilized elements in Vavoua, Séguéla, Korhogo and Bouaké, amid clashes between rival factions.

20. Violence against women, including rape, forced marriage and human trafficking, occurred, in particular in the western part of the country and in the Vavoua region. The low rate of prosecution of perpetrators of various forms of violence against women remained a major challenge. The continued use of excessive force, torture and ill-treatment against civilians in the maintenance of law and order on the part of law enforcement officials also continued to be a cause of concern in the south.

21. In October, an attack by members of the Student Federation of Côte d'Ivoire against a university teacher in Abidjan was reported as were demonstrations that resulted in injured persons, destruction of property and the closure of schools in the Daloa prefecture for several days. While the new leadership of the Student Federation advocates a policy of non-violence, extremists from this and the Young Patriots movement continued to cause disturbances at universities and schools in different parts of the country. UNOCI received for the first time a visit from the leadership of the Student Federation on 14 November 2008, who confirmed the commitment of the Federation to support constructively the Ivorian peace process. UNOCI intends to maintain its dialogue with the Federation and other youth groups.

VII. Gender

22. In compliance with Security Council resolutions 1325 (2000) and 1820 (2008) on women and peace and security, UNOCI continued to mainstream gender into its policies and programmes and provided training on gender issues to military, police

and civilian personnel. The mission also provided training and technical support to women's groups that advocate for the participation of women in elections and supported national institutions during the 16-day campaign on violence against women. It also cooperated with the Forces nouvelles women's association, which identified 569 female Forces nouvelles ex-combatants to benefit from reinsertion opportunities.

VIII. Child protection

23. In application of Security Council resolutions on children and armed conflict, including resolution 1612 (2005), UNOCI continued to mainstream child protection concerns across the mission. From January to December 2008, UNOCI conducted 204 training and sensitization sessions targeting a variety of partners within Côte d'Ivoire and benefiting 6,068 UNOCI personnel. In line with the provisions adopted by the Security Council Working Group on Children and Armed Conflict concerning Côte d'Ivoire, UNOCI intensified its advocacy with the parties to the conflict to move forward on measures to address sexual violence against children in the country, including the adoption of a national action plan for children in armed conflict.

IX. HIV/AIDS

24. UNOCI continued to mainstream HIV/AIDS awareness within its activities. In the present reporting period, 4,071 mission personnel received sensitization training; 219 new peer educators were trained to conduct sensitization activities within their respective battalions; and 2,137 mission personnel received voluntary counselling and testing services. Within the framework of a joint UNOCI and United Nations Population Fund (UNFPA) prevention project targeting commercial sex workers and Ivorian armed forces, a needs assessment of the health infrastructure in the Ministry of Defence was undertaken and training on sexually transmitted infections and gender-based violence was carried out. UNOCI also continued to collaborate with UNDP and UNFPA in implementing a joint project on HIV/AIDS in the process of disarmament, demobilization and reintegration.

X. Economic recovery

25. The economy of Côte d'Ivoire continued to recover, with real gross domestic product (GDP) projected to increase by 2.9 per cent in 2008, driven mainly by an increase in oil output and foreign investments. However, annual average inflation is projected to rise to 6 per cent by the end of 2008, reflecting sharp increases in international prices for food and energy. While high commodity prices in the first half of 2008 contributed to a current account balance surplus forecast of 4.7 per cent of GDP in 2008, the recent price decline is expected to cause a gross budget deficit of 1.7 per cent of GDP in 2009. The poverty rate has risen from 38.4 per cent in 2002 to 48.9 per cent in 2008. The economic forecast for 2008/2009 remains dependent on the political outlook and the probable negative impact of the global financial crisis. Further structural reforms, including in the areas of governance, taxation and revenue collection, are urgently required. Also, swift progress in the

prospects for clearing payments arrears are needed to boost the hitherto limited economic recovery, including by triggering further donor support and reaping dividends from decreased debt-servicing obligations.

XI. Personnel conduct and discipline

26. UNOCI intensified its efforts to prevent misconduct and continued to follow up on cases of alleged misconduct. In order to raise awareness on measures to prevent sexual exploitation and abuse, UNOCI organized a workshop for local non-governmental organizations and the United Nations country team and conducted a fact-finding mission to the sectors that assisted in implementing risk-mitigating measures. Consultations with UNOCI staff continued with regard to my bulletin on the prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/5).

XII. Media monitoring and public information

27. The mission's radio station, ONUCI-FM, continued to support the peace process, including through sensitization on the identification and voter registration operations. UNOCI continued its public outreach activities through town hall meetings, workshops and a caravan of artists which travelled to 15 locations countrywide to sensitize the people of Côte d'Ivoire on the protection of human rights, a culture of peace and social cohesion, among other themes. The mission also supported civil society and non-governmental organizations in their sensitization efforts against gender-based violence.

28. Access to State media continued to be a source of concern, in particular with regard to the national television broadcast station, Radio télévision ivoirienne, which continued to provide unbalanced coverage of activities of the presidential camp and of the opposition. Furthermore, despite repeated commitments, there was little progress, among the Ivorian media, to adhere to a code of conduct during the electoral process.

XIII. Safety and security of personnel

29. As indicated above, the overall security situation in the country is assessed as generally stable. However, various incidents and demonstrations, as described in paragraphs 2 to 4, underscored the volatility of the situation. Although the United Nations was not specifically targeted in these incidents, their violent nature sporadically affected the operations of United Nations personnel and programmes. Security measures for United Nations staff continue to be strictly enforced.

XIV. Financial implications

30. The General Assembly, by its resolution 62/254, appropriated the amount of $475.4 million for the maintenance of UNOCI for the period from 1 July 2008 to 30 June 2009. Should the Security Council decide to extend the mandate of UNOCI beyond 31 January 2009, the cost of maintaining the mission until 30 June 2009

would be limited to the amounts approved by the General Assembly. As at 30 September 2008, unpaid assessed contributions to the special account for UNOCI amounted to $231 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $4,014.1 million. Reimbursement of troop and contingent-owned equipment costs has been made for the period up to 30 November 2008 and 30 June 2008 respectively.

XV. Technical assessment mission

31. At the request of my Special Representative, a technical assessment mission led by the Assistant Secretary-General for Peacekeeping Operations, Edmond Mulet, and comprising representatives from the Department of Peacekeeping Operations, the Department of Political Affairs, the Office of the United Nations High Commissioner for Human Rights and the Department of Safety and Security, visited Côte d'Ivoire from 10 to 14 December to review UNOCI's role in the peace process in the light of the Security Council's intention to review by 31 January 2009 the mandates and troop strengths of UNOCI and the French forces.

32. The assessment mission received detailed briefings from UNOCI, the United Nations country team and the French Licorne force and consulted a wide spectrum of national and international stakeholders, including President Gbagbo, Prime Minister Soro, the leaders of the opposition (Mr. Bédié and Mr. Ouattara), the chiefs of staff of the defence and security forces of Côte d'Ivoire and of the Forces nouvelles, the Chairman of the Independent Electoral Commission, the diplomatic community (including representatives of the African Union, the Economic Community of West African States and the European Union), civil society and the private sector. The assessment mission also consulted with the Facilitator of the Ivorian peace process, President Compaoré of Burkina Faso, in Ouagadougou on 13 December, and with senior French officials in Paris on 15 December.

A. Electoral process

33. All Ivorian parties reiterated to the assessment mission their commitment to hold elections as early as possible in 2009. They stressed the need to ensure that the necessary conditions for a credible and transparent electoral process were met before determining a new date for the presidential election. In that regard, all interlocutors pointed to the responsibility of the Government and the Independent Electoral Commission to expedite the deployment of identification and voter registration teams throughout the country before the end of December in order to complete the process before the end of February 2009. The Chairman of the Commission informed the assessment mission that the prospects for completing the voter registration process by the end of February 2009 would depend on the ability of the Government to immediately disburse $15 million, required to deploy the remaining 4,000 identification and voter registration teams throughout Côte d'Ivoire.

34. The assessment mission was informed that, at the end of the identification and voter registration process, the Independent Electoral Commission would produce a provisional list of voters, tentatively by the end of February 2009, following which the new election date would be set. Regarding the publication of the final list of

voters, while the Commission intended to allow 30 to 45 days for reviewing appeals, Prime Minister Soro considered that it would be preferable to maintain the three-month timeline provided in the Ivorian Constitution for reviewing appeals between the publication of the provisional and the final list of voters, to enhance the transparency and credibility of the process. That extended timeline would also allow for the completion of the redeployment to the northern part of the country of the judiciary, which is expected to play a crucial role in reviewing the appeals, as provided for in the fourth supplementary agreement, as well as the establishment of a unified and integrated national police and gendarmerie deployed throughout the country. Once the Commission had produced the final list of voters, all stakeholders assessed that an incompressible period of two to three months should be added to the election timeline for the production and distribution of identification and voter cards.

35. Against this background, the assessment mission determined that, while all parties remained committed to holding elections before the end of the first half of 2009, additional delays in the Ivorian elections could not be excluded. In the light of the fourth supplementary agreement, which provides for the disarmament of former Forces nouvelles combatants and the dismantling of militias to be completed two months before elections, managing the electoral timetable appears to have become even more challenging.

36. UNOCI will impress upon the Independent Electoral Commission the importance of sharing, as soon as possible, and considering the provisions of the fourth supplementary agreement, a new, realistic electoral timeline with the Ivorian parties and the international community. The timeline should outline all stages of the process, including the completion of identification and voter registration operations, the publication of the provisional and final list of voters, the production and distribution of identification and voter cards throughout the country and the election date itself, as requested by the Security Council in its presidential statement of 7 November 2008 (S/PRST/2008/42). UNOCI stands ready to assist the Independent Electoral Commission in developing an integrated master plan for the conduct of the electoral process and to provide technical and logistical assistance to the Commission and the technical operators involved in the electoral process in order to avoid new delays in the electoral process.

37. UNOCI will monitor compliance by the parties with the code of good conduct for the elections signed, in my presence, on 23 April 2008, and encourage other stakeholders in the peace process, including the media and civil society groups, to develop similar mechanisms that would help to anchor a stable political environment during the electoral period. The mission will support civil society organizations in holding national consensus days in early 2009. Furthermore, in order to address the concerns expressed by many stakeholders related to security in the aftermath of the elections, the United Nations will continue to support initiatives that help to preserve the inclusiveness of the peace process.

38. Meanwhile, UNOCI's main focus will remain safeguarding the peace process and the result of the elections, through my Special Representative's certification mandate. The assessment mission confirmed in that regard that all stakeholders accepted and underlined the importance of my Special Representative's certification role in guaranteeing the credibility and transparency of the electoral process, including the voters list and the results of the elections. In this connection, UNOCI

will pursue its efforts to sensitize all parties and sustain the consensus on the nature and implementation of the certification mandate.

39. Finally, the mission will mobilize the donor community to provide financial support for the efforts of the Government of Côte d'Ivoire to implement the remaining tasks leading to the holding of credible and transparent presidential and legislative elections in 2009, especially the completion of the identification and voter registration operations. UNOCI will keep advocating for the Government to disburse the funds needed by the Ivorian institutions involved in the electoral process in a timely manner, including for the crucial operation of reconstitution of lost or destroyed civil registers launched by the Ministry of Justice in May 2008 but delayed by funding shortages. UNOCI will also continue to assist the Ivorian parties to develop an integrated security plan for the elections, delineating the responsibilities of the defence and security forces of Côte d'Ivoire, the Forces nouvelles and the impartial forces.

B. Security-related issues

40. All national and international stakeholders shared the view that the parties should take advantage of the postponement of the elections to expedite the disarmament of former combatants and the dismantling of the militias in a credible and transparent manner, and launch the reunification and restructuring of the Ivorian defence and security forces, including through the reintegration of eligible elements of the Forces nouvelles. So far, 34,678 elements of the Forces nouvelles have been profiled, out of which only 11,769 have gone through the cantonment exercise. Efforts to dismantle militias in the west have been mainly symbolic, and both the Forces nouvelles and the militia remain operational.

41. The assessment mission emphasized that it was necessary to institute effective mechanisms to control the weapons surrendered by former combatants. Both the third and fourth supplementary agreements, as well as the terms of reference regarding the supervision by the impartial forces of the cantonment sites, storage of weapons and dismantling of the militias, agreed upon by the chiefs of general staff of the defence and security forces and of the Forces nouvelles and the UNOCI and Licorne force commanders, need to be swiftly implemented. In this regard, it should be recalled that the Forces nouvelles and the national defence and security forces are required to submit comprehensive lists of weapons to the integrated command centre. A more comprehensive framework governing the future of the security sector in Côte d'Ivoire, including guarantees for the accountability, transparency and oversight of security institutions, needs to be developed. Such a framework would generate the requisite confidence in the security architecture and security governance mechanisms by all stakeholders.

42. The signing of the fourth supplementary agreement should help to overcome some of the obstacles to the disarmament of former combatants, the dismantling of the militias and the reunification of the two former belligerent forces. However, the assessment mission confirmed that the operational capabilities of the Ivorian institutions responsible to plan and implement these processes, namely the integrated command centre, the national programme for reinsertion and community rehabilitation and the civic service programme, will also depend on enhanced support from the Government of Côte d'Ivoire and international partners to help

them to overcome their structural and financial deficiencies. The ability of the Government of Côte d'Ivoire to raise the funds for the payment of demobilization packages provided for in the fourth supplementary agreement will also be key to the success of these processes, especially in the light of the reluctance of international partners to support cash payments which, in themselves, have often proven to be neither sufficient nor conducive to the sustainable reintegration of ex-combatants.

43. As regards the integration of former Forces nouvelles combatants into the security services, the assessment mission noted that 300 Forces nouvelles elements assigned in mid-November to the mixed police units to provide security for the identification and voter registration process in Abidjan returned to Bouaké on 3 December citing non-payment of their allowances by the integrated command centre. In addition, the 600 police auxiliaries trained by UNOCI have been neither integrated into the national security services nor equipped to assist in securing the north of the country. The signing of the fourth supplementary agreement, which provides for the immediate integration of these 600 police auxiliaries into the Ivorian police and gendarmerie, should help to expedite this process.

C. Recommendations regarding the role of the United Nations Operation in Côte d'Ivoire in supporting the implementation of the Ouagadougou Agreement

44. All stakeholders were of the view that current UNOCI capabilities should be retained in order to enable the mission to contribute to maintaining a secure environment for the full implementation of the Ouagadougou Agreement, in particular the electoral process. The completion of the disarmament, demobilization and reintegration of former combatants, the disarmament and dismantling of militias, the full restoration of State authority, the completion of identification and voter registration operations, the holding of a credible and transparent presidential election, the reunification and restructuring of the defence and security forces of Côte d'Ivoire and progress in the human rights situation, were identified as crucial for the return of normalcy in the country.

45. At the same time, the assessment mission and UNOCI agreed that it would be possible, without prejudice to the overall capability of the mission to provide security for the peace process, to adjust the troop level and posture of the UNOCI force. The proposed adjustments would take into account the following potential security threats: the continued existence of armed militias and violent youth; the absence of effective disarmament of former combatants; the uncompleted redeployment of State administration; the risk of localized clashes in the north and the west; the limited freedom of movement due to continuing checkpoints and roadblocks; and the fact that elections could be a catalyst for violence in Côte d'Ivoire, in particular if they are perceived as lacking transparency and credibility.

46. The assessment mission proposed that the UNOCI force could be reduced by one battalion during the next rotation, from 8,115 to 7,450 troop personnel, on the understanding that the force's mobility will be enhanced with adequate air capabilities, including additional utility helicopters, and taking into account the continued support of the French forces to UNOCI in terms of quick reaction capabilities. Under the proposed adjustment, the UNOCI force would be positioned

in fewer but more concentrated positions, from which sufficient troop numbers could be rapidly deployed as airborne quick reaction detachments.

47. The assessment mission also determined that the prevailing threats, the challenges ahead and the uncertain pace of the electoral process rendered it difficult to consider a more substantial drawdown of UNOCI's force until progress was made in carefully benchmarked areas and in security conditions on the ground. In that connection, the assessment mission proposed the following key benchmarks as preconditions for a more substantial drawdown of the force: (a) completion of credible disarmament, demobilization and reintegration of former combatants and dismantling of militias; (b) successful completion of the elections; (c) commencement of security sector reform, in particular confidence-building measures within a broader framework for democratic governance and oversight of the security sector, reunification of the army and establishment of functional and republican Ivorian armed forces and security services; and (d) restoration of State authority throughout the country.

48. In the meantime, UNOCI will continue to focus on helping the Ivorian parties to surmount the challenges and minimize the risks identified above, including by: (a) supporting the Ivorian parties and the Facilitator in their efforts to keep the peace process on track; (b) contributing to a secure environment for the elections, including by advancing the agendas for the effective disarmament of former combatants and dismantling of militias, inter alia, by monitoring the cantonment of former combatants and the storage of the weapons collected; (c) providing technical and logistical support for the electoral process and monitoring the progress made in the various processes leading to credible and transparent elections; (d) contributing, through my Special Representative's certification role, to enhancing the credibility of the electoral process; and (e) supporting the economic recovery process pursued by the Government of Côte d'Ivoire.

49. In order to contribute to a secure environment for the elections, and considering the proposed adjustment in its size and posture, the military component of the mission will continuously review and adjust its concept of operations to the evolving situation on the ground. It will work closely with the Licorne force to assist the Ivorian parties in the provision of security for the elections, for the disarmament, demobilization and reintegration of former combatants, for the disarmament and the dismantling of the militias, for the reform of the security sector, in particular the reunification of the defence and security forces of Côte d'Ivoire, and for the restoration of State authority.

50. The mission will help to enhance the riot control capabilities of the Ivorian police and gendarmerie. In this regard, the fourth supplementary agreement prescribes that 4,000 Forces nouvelles elements, including the 600 police auxiliaries trained by UNOCI in 2005, will immediately be involved in the security arrangements for the elections, together with elements from the national police and gendarmerie and under the supervision of the integrated command centre.

51. The mission will also assist the Ivorian parties in their efforts to devise plans for the reunification of the defence and security forces, including the police and gendarmerie, and provide, as stipulated in the fourth supplementary agreement to the Ouagadougou Agreement, the necessary mentoring and basic training to the Forces nouvelles elements eligible for reintegration in the defence and security forces.

52. In order to maintain a robust and deterrent posture during the elections, UNOCI will consult with UNMIL on inter-mission arrangements and explore, without prejudice to the implementation of UNMIL's mandate and ongoing drawdown, the possibility of flexibly deploying reinforcements for a limited period of time immediately before, during and after the elections, in the form of military and air capability support.

53. The mission will work closely with the Facilitator in order to ensure that the parties agree on effective arrangements for the control of the weapons placed in storage, in keeping with the supervisory role entrusted to UNOCI and the Licorne force under the Ouagadougou Agreement and its supplementary agreements, and to offer options to the parties that both suit the Ivorian context and meet international standards of disarmament, demobilization and reintegration processes. UNOCI will encourage the Ivorian parties to clarify the role of the national programme for reinsertion and community rehabilitation and the civic service programme in the new reintegration scheme. It will involve the donor community in designing this process. Furthermore, the mission will assist in formulating a plan for completing the dismantling of the remaining militia in the west and in Abidjan, and will support the development of an effective programme, including a funding strategy for the long-term reintegration of former combatants. Finally, UNOCI will work closely with the Facilitator and the Ivorian parties in exploring bilateral partnerships that can assist the Government of Côte d'Ivoire in reforming its security institutions.

54. UNOCI will support the authorities of Côte d'Ivoire in their efforts to complete other critical tasks, such as the redeployment of State administration and the restoration of State authority, including the judiciary, corrections and the rule of law, throughout the country. The mission will also continue to work with the United Nations country team, the World Bank and other international partners to promote social cohesion and community reconciliation and to facilitate the delivery of humanitarian assistance and support for recovery, in particular in northern and western regions of the country. It will promote the peace process through its public information capacity. UNOCI and partners will carry on their activities to monitor the human rights situation in Côte d'Ivoire, focusing in particular on women and children, while also building the capacity of national institutions and civil society to promote and protect human rights.

D. Financial support to the implementation of the Ouagadougou Agreement and supporting the economic recovery process

55. As indicated above, the assessment mission noted that most of the key processes under the Ouagadougou Agreement, including the electoral process, remained plagued by considerable funding gaps and that this jeopardized the progress already made. Despite considerable earnings from the cocoa and oil industries in the south, the Government is not yet able to collect revenue from the northern part of the country, which constitutes a substantial loss for the Government's budget. Furthermore, the Prime Minister informed the assessment mission that the Government's clearance of debt arrears to international financial institutions, amounting to $440 million in the past year, in addition to the $400 million earmarked for the national "programme de sortie de crise", had absorbed more than 20 per cent of its $4.4 billion total budget. The Prime Minister confirmed his Government's determination to mobilize international support to facilitate a

relief of its $14.3 billion debt through the Heavily Indebted Poor Countries Initiative. UNOCI will continue to assist the Government of Côte d'Ivoire to mobilize donors while addressing structural deficiencies of the Ivorian institutions in charge of the peace process. UNOCI will also assist in ensuring effective donor coordination. The United Nations will also continue to work closely with the Government of Burkina Faso to secure financial support for the facilitation of the peace process.

XVI. Observations

56. Nearly two years after the signing of the Ouagadougou Agreement, in March 2007, significant progress has been made in implementing the Agreement, but much remains to be done. The Ivorian parties remain committed to implementing the Agreement and the people of Côte d'Ivoire continue to enjoy relative peace and stability. The progress made in the identification of the population, which lies at the heart of the Ivorian crisis, is very encouraging. The parties are to be congratulated for the steady progress and the high turnout witnessed in Abidjan, where 2,078,000 people were registered in less than three months. I also welcome their sustained commitment to supporting the expansion of these key processes to the rest of the country. Going forward, it will be essential to maintain the prevailing calm and determination so far witnessed by the Ivorian people in completing identification of the population and voter registration.

57. I welcome the consensus reached by the Ivorian parties on modalities to resolve key outstanding military and security issues, as formalized by the fourth supplementary agreement to the Ouagadougou Agreement. As these issues had earlier impeded tangible progress in the disarmament of former combatants and dismantling of the militias, I encourage the signatories of the Ouagadougou Agreement to swiftly implement the provisions of this supplementary agreement, while ensuring at the same time that the modus operandi agreed upon by the parties is both suitable for the Ivorian context and consistent with established international standards for the disarmament, demobilization and reintegration of former combatants and militias. The timely implementation of the fourth supplementary agreement is critical in order to avoid any further delays to the presidential elections, which the Ivorian parties have now linked to the successful completion of the disarmament of the former combatants of the Forces nouvelles and the dismantling of the militias.

58. In order to safeguard the considerable gains achieved by the parties so far, it will be necessary to address expeditiously and transparently the accumulated technical and logistical delays that led to the postponement of the presidential elections previously scheduled for 30 November 2008. I urge the Independent Electoral Commission to make public, as soon as possible, a new and realistic electoral timeline that defines critical milestones. Once it has been endorsed by the parties and the Facilitator, this new timeline should be strictly adhered to, so as to ensure that no further extension of the electoral process is required. Meanwhile, my Special Representative, in implementing his certification mandate, will continue to support the electoral process in order to ensure that it remains both inclusive and transparent.

59. UNOCI, together with other United Nations entities and international partners, will continue to provide expertise and technical assistance to the Ivorian institutions responsible for implementing the critical remaining tasks under the Ouagadougou Agreement and will endeavour to mobilize financial support from the donor community to advance the disarmament of the former combatants, the dismantling of the militias, the reunification of the Ivorian defence and security forces and the redeployment of State administration and restoration of State authority. While the country currently enjoys increased stability, the delicate electoral process, including the post-electoral period, and the implementation of the remaining tasks of the peace agreement require that UNOCI maintain its core capabilities and a deterrent posture to respond to anticipated risks.

60. UNOCI will continue to monitor and investigate human rights violations, with a view to helping the efforts to end impunity, with particular focus on violence against women and children, as well as any incidents that have an impact on the security of the electoral process. I call on the Ivorian parties to develop the necessary confidence-building measures to prevent human rights violations, in particular electoral violence that could undermine the credibility of the results.

61. Considering the positive developments witnessed in Côte d'Ivoire, while also taking into account the remaining tasks under the Ouagadougou Agreement and the possible risks identified in paragraph 45 above, I recommend that the mandate of UNOCI be extended for a period of six months, until 31 July 2009. I also recommend that UNOCI's troop level be reduced by one battalion and that the force's posture and configuration be adjusted as elaborated in paragraphs 46 to 54 above. The proposed adjustments would enable UNOCI to provide support to the Ivorian parties for implementing the remaining tasks of the peace agreement, while also maintaining the capability to respond to possible security challenges. I further recommend that the Security Council approve the benchmarks for the further drawdown of the UNOCI force, as described in paragraph 47. These benchmarks were developed based on a careful analysis of the situation in the country and an assessment of the preconditions for the restoration of normalcy in Côte d'Ivoire. Should the Council approve the above proposals, I intend to provide regular updates on the status of reconfiguring the UNOCI force and on progress made by the Ivorian parties in accomplishing the benchmarks.

62. As described in paragraph 52 above, temporary reinforcement of UNOCI, through inter-mission cooperation with UNMIL, may be necessary during the period immediately before, during and after the elections, in the form of military and air capability support within the framework of Security Council resolution 1609 (2005).

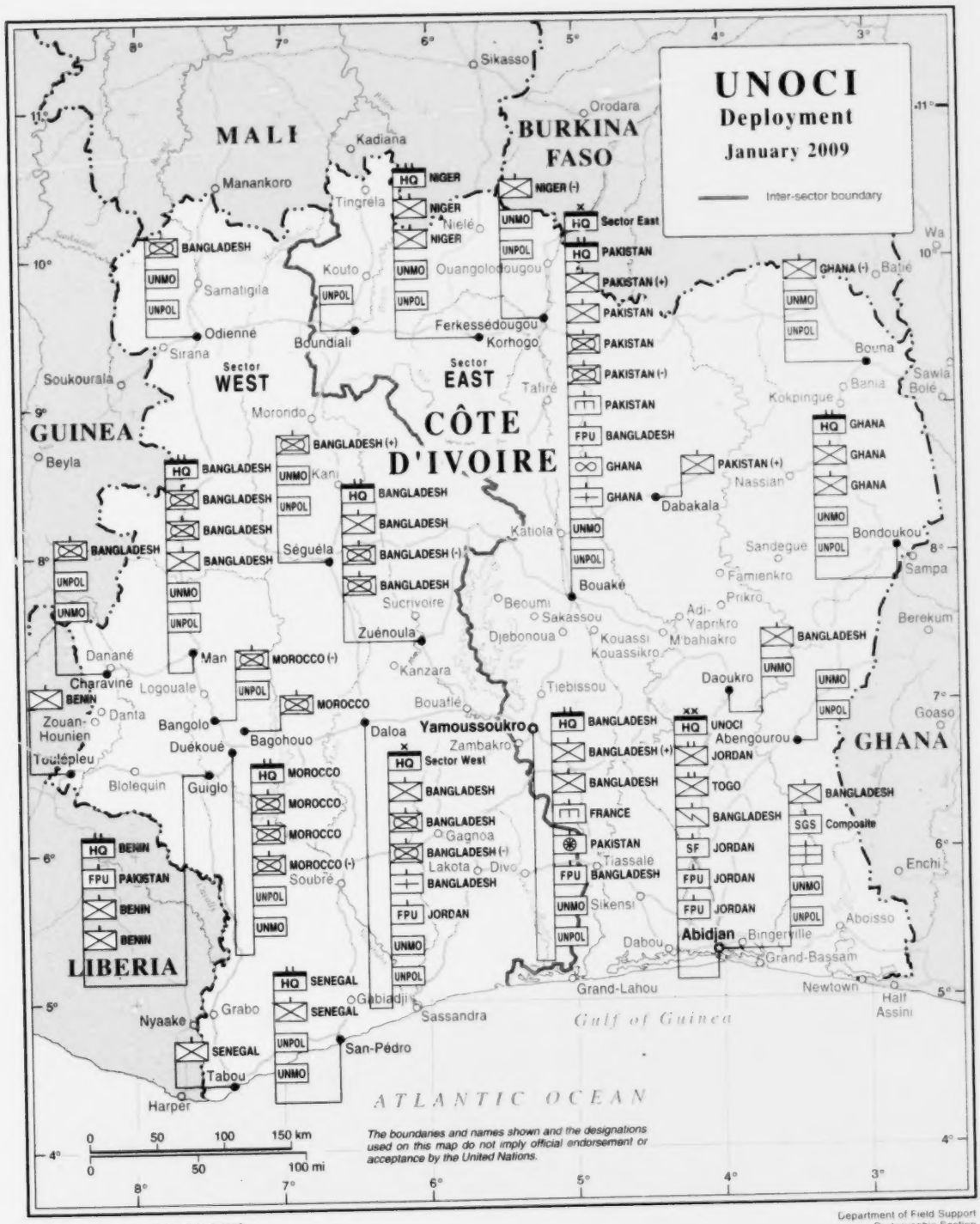
63. In conclusion, I would like to thank my Special Representative for Côte d'Ivoire, Young-Jin Choi, and all UNOCI military, police and civilian personnel for their continued commitment to supporting the peace process. I am also grateful to the Facilitator of the Ivorian peace process, Blaise Compaoré, President of Burkina Faso, and his Special Representative in Abidjan, Boureima Badini, for their tireless facilitation efforts. Finally, I thank all troop- and police-contributing countries, the Economic Community of West African States, the African Union, the United Nations agencies, funds and programmes, humanitarian organizations and multilateral and bilateral donors, as well as international and local non-governmental organizations, for their important contributions to the return of peace and stability to Côte d'Ivoire.

Annex

United Nations Operation in Côte d'Ivoire: military and police strength as at 1 December 2008

	Military component					
Country	*Military observers*	*Staff officers*	*Troops*	*Total*	*Formed police units*	*Civilian police*
Argentina						3
Bangladesh	11	10	2 709	2 730	250	5
Benin	8	7	420	435		49
Bolivia	3			3		
Brazil	4	3		7		
Burundi						14
Cameroon						51
Canada						8
Central African Republic						9
Chad	2			2		17
China	7			7		1
Croatia	2			2		
Djibouti						51
Democratic Republic of the Congo						20
Ecuador	2			2		
El Salvador	3			3		
Ethiopia	2			2		
France	2	10	171	183		11
Gambia	3			3		
Ghana	6	7	534	547		5
Guatemala	5			5		
Guinea	3			3		
India	8			8		
Ireland	2			2		
Jordan	7	12	1 047	1 066	375	6
Libyan Arab Jamahiriya						2
Madagascar						7
Morocco		2	721	723		
Namibia	2			2		
Nepal	3	1		4		
Niger	6	3	382	391		50
Nigeria	6			6		
Pakistan	10	9	1 128	1 147	125	1
Paraguay	8	2		10		

Country	Military component				Formed police units	Civilian police
	Military observers	*Staff officers*	*Troops*	*Total*		
Peru	3			3		
Philippines	4	3		7		
Poland	2			2		
Republic of Moldova	4			4		
Romania	7			7		
Russian Federation	10			10		
Rwanda						3
Senegal	11	6	320	337		39
Serbia	3			3		
Spain						1
Switzerland						2
Togo	7	6	309	322		9
Tunisia	6	3		9		
Turkey						11
United Republic of Tanzania	1	2		3		
Uruguay	2			2		5
Uganda	4	1		5		
Yemen	8	1		9		7
Zambia	2			2		
Zimbabwe	2			2		
Total	**191**	**88**	**7 741**	**8 020**	**750**	**387**



Map No. 4220 Rev. 24 UNITED NATIONS
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United Nations S/2009/22

Security Council

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8 January 2009
English
Original: Spanish

Letter dated 5 January 2009 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

I have the honour to address you in my capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement concerning the serious situation in the Gaza Strip.

The members of the Non-Aligned Movement are following events on the ground with great concern and strongly condemn the military aggression that Israel, the occupying Power, is carrying out against Gaza.

In flagrant disregard of both the international community's appeals for the cessation of military activities and the ongoing diplomatic efforts to resolve the crisis, Israel has further escalated its military offensive by launching a ground invasion of Gaza.

As a result of these activities, thousands of innocent civilians, including many Palestinian children, have already died or been injured.

I must convey to you the Movement's deep disappointment at the Security Council's inability to carry out its responsibility for the maintenance of international peace and security under the current circumstances. Despite what has already occurred, over a week after the sustained military attacks were launched, the Security Council has yet to take any concrete measure to halt the aggression.

On behalf of the Non-Aligned Movement, I again request the Security Council to take urgent action to address this serious situation.

I attach herewith a copy of the statement made today by the Coordinating Bureau of the Non-Aligned Movement concerning the escalation of Israel's military attack on the Gaza Strip (see annex).

I would be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Abelardo **Moreno Fernández**
Ambassador
Permanent Representative of Cuba to the United Nations
Chairman of the Coordinating Bureau
of the Non-Aligned Movement

09-20452 (E) 090109 120109

Annex to the letter dated 5 January 2009 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

[Original: English]

Statement by the Coordinating Bureau of the Non-Aligned Movement on the Escalation of the Israeli Military Aggression against the Gaza Strip in the Occupied Palestinian Territory

The Coordinating Bureau of the Non-Aligned Movement (NAM) strongly condemns the escalation of the military aggression being carried out by Israel, the occupying Power, in the Gaza Strip. NAM is gravely concerned by and condemns in particular the launching of the Israeli ground invasion in Gaza in flagrant defiance of the calls by the international community for a cessation of military activities and of the regional and international diplomatic efforts underway to resolve the current crisis.

NAM expresses its deep regret at the loss of innocent life as a result of the ongoing Israeli military attacks against the Strip, including the killing of more than 460 Palestinian civilians, among them several children, and the injuring of nearly more than 2,500 other civilians, as well as the massive destruction of property and infrastructure in the Gaza Strip.

NAM reiterates that this unacceptable Israeli military aggression against the Palestinian civilian population in the Gaza Strip constitutes a grave breach of international law, including humanitarian and human rights law, fuels the cycle of violence and threatens international peace and security as well as the fragile peace process between the two sides.

NAM calls for an immediate cessation of all military activities and violence and for the implementation of an immediate general ceasefire. Israel should immediately cease all its military attacks and scrupulously abide by all of its obligations, as the occupying Power, under international law and relevant United Nations resolutions. In this regard, the Movement urges Israel to unconditionally comply with its obligations under international law, including the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

In view of the indiscriminate bombings affecting the civilian population, including women and children, as well as the severe humanitarian crisis prevailing in Gaza, NAM also calls for the immediate provision of protection for the Palestinian civilian population in the Gaza Strip in accordance with the relevant provisions of international humanitarian law.

The Movement expresses grave concern about the deepening humanitarian crisis being faced by the Palestinian civilian population in Gaza as a result of the current military actions, the continued closure of all border crossings and the obstruction of access of humanitarian aid, including food and medicines, and the reduction of fuel and electricity supplies to the Gaza Strip by Israel.

In this context, NAM calls upon Israel to end the collective punishment of the Palestinian people and to allow for the immediate and sustained opening of the Gaza

Strip's border crossings to ensure the free access of humanitarian aid and other essential supplies and goods as well as to facilitate the passage of persons to and from the Gaza Strip.

In light of the gravity of this crisis, NAM expresses its deep disappointment at the inability of the Security Council to uphold its responsibilities in maintaining international peace and security. Despite more than a week of sustained military attacks that have gravely affected the civilian population and heightened instability and tensions in the region, the Council has regrettably been unable to take any concrete measure to end the aggression. Once again, the Movement requests the Security Council to act urgently to address this grave situation.

NAM stresses the need for intensified and coordinated efforts by the international community to bring an end to this crisis and to exert all necessary efforts to support and promote the peace process as well as to ensure respect for international law, including international humanitarian and human rights law, the key to a peaceful settlement of the Palestinian-Israeli conflict and the Arab-Israeli conflict as a whole, as the sole means to guarantee a lasting peace in the region.

The Movement is convinced that there is no military solution to the conflict. In this context, NAM reaffirms its commitment to a peaceful solution of the Israeli-Palestinian conflict and to the right of the Palestinian people to exercise self-determination and sovereignty in their independent State of Palestine, on the basis of the 1967 borders, with East Jerusalem as its capital.

New York, 5 January 2009

United Nations S/2009/23

Security Council

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8 January 2009

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United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling all of its relevant resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and 1850 (2008),

Stressing that the Gaza Strip constitutes an integral part of the territory occupied in 1967 and will be a part of the Palestinian state,

Emphasizing the importance of the safety and well-being of all civilians,

Expressing grave concern at the escalation of violence and the deterioration of the situation, in particular the resulting heavy civilian casualties since the refusal to extend the period of calm; and *emphasizing* that the Palestinian and Israeli civilian populations must be protected,

Expressing grave concern also at the deepening humanitarian crisis in Gaza,

Emphasizing the need to ensure sustained and regular flow of goods and people through the Gaza crossings,

Recognizing the vital role played by UNRWA in providing humanitarian and economic assistance within Gaza,

Recalling that a lasting solution to the Israeli-Palestinian conflict can only be achieved by peaceful means,

Reaffirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Stresses* the urgency of and *calls for* an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza;

2. *Calls for* the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including of food, fuel and medical treatment;

3. *Welcomes* the initiatives aimed at creating and opening humanitarian corridors and other mechanisms for the sustained delivery of humanitarian aid;

4. *Calls on* Member States to support international efforts to alleviate the humanitarian and economic situation in Gaza, including through urgently needed additional contributions to UNRWA and through the Ad Hoc Liaison Committee;

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5. *Condemns* all violence and hostilities directed against civilians and all acts of terrorism;

6. *Calls upon* Member States to intensify efforts to provide arrangements and guarantees in Gaza in order to sustain a durable ceasefire and calm, including to prevent illicit trafficking in arms and ammunition and to ensure the sustained reopening of the crossing points on the basis of the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel; and in this regard, *welcomes* the Egyptian initiative, and other regional and international efforts that are under way;

7. *Encourages* tangible steps towards intra-Palestinian reconciliation including in support of mediation efforts of Egypt and the League of Arab States as expressed in the 26 November 2008 resolution, and consistent with Security Council resolution 1850 (2008) and other relevant resolutions;

8. *Calls for* renewed and urgent efforts by the parties and the international community to achieve a comprehensive peace based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace with secure and recognized borders, as envisaged in Security Council resolution 1850 (2008), and recalls also the importance of the Arab Peace Initiative;

9. *Welcomes* the Quartet's consideration, in consultation with the parties, of an international meeting in Moscow in 2009;

10. *Decides* to remain seized of the matter.

United Nations S/2009/24

Security Council

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9 January 2009

Original: English

Letter dated 8 January 2009 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite Riad Al-Malki, Minister for Foreign Affairs of the Palestinian National Authority, to participate in the meeting of the Security Council that will be held on Thursday, 8 January 2009, regarding the situation in the Occupied Palestinian Territory, especially in the Gaza Strip.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

09-20491 (E) 090109

United Nations S/2009/25

Security Council

Distr.: General
9 January 2009
English
Original: English/French

France: draft resolution

The Security Council,

Affirming its strong commitment to the sovereignty, independence, territorial integrity and unity of both Djibouti and Eritrea, and *recalling* the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that in the statement of its President dated 12 June 2008 (S/PRST/2008/20) it condemned Eritrea's military action against Djibouti in Ras Doumeira and Doumeira Island and called upon the two parties to show maximum restraint and withdraw forces to the status quo ante,

Taking note of the letter of the Secretary-General dated 11 September 2008 (S/2008/602) in which he transmitted the report of the fact-finding mission he sent following its 5924th meeting (S/PV.5924),

Expressing its deep concern that, as mentioned in the report of the fact-finding mission referred to above, Eritrea has not withdrawn its forces to the status quo ante, as called for by the Security Council in the statement of its President dated 12 June 2008 (S/PRST/2008/20),

Reiterating its serious concern at the absence of dialogue between the two parties, and at the refusal of Eritrea so far to engage in dialogue, or to accept bilateral contacts, mediation or facilitation efforts by subregional or regional organizations or to respond positively to the efforts of the Secretary-General,

Noting that Djibouti has withdrawn its forces to the status quo ante and has cooperated fully with the fact-finding mission mentioned above, as well as with other missions sent by subregional and regional organizations,

Taking note of the first visit to Asmara, since the conflict of June 2008, of the Chairperson of the Commission of the African Union in October 2008,

Expressing its deep concern about the continuing tense border dispute between Djibouti and Eritrea and over the possible impact of the grave and unstable security situation in the area of Doumeira on subregional stability and security after the serious incidents of 10 June 2008, which led to dozens of deaths and wounded,

1. *Urges* Djibouti and Eritrea to resolve their border dispute peacefully, as a matter of priority and in a manner consistent with international law, and *emphasizes* that it is the primary responsibility of the parties to set up the appropriate diplomatic and legal framework to this end;

09-20826 (E) 140109

2. *Reiterates its appreciation* for the efforts by the Secretary-General, the African Union and the Arab League to engage both parties, *encourages* them to strengthen their efforts in this regard and *encourages also* regional and subregional organizations as well as Members States that are in a position to provide their assistance to this end to do so;

3. *Welcomes* the offer of good offices made by the Secretary-General, *deeply regrets* that Eritrea has continuously refused to grant visas to the members of the fact-finding mission mentioned above, or to receive any envoy by the Secretary-General, and *welcomes* the continued readiness of the Secretary-General to send a fact-finding mission or an envoy to Eritrea;

4. *Welcomes* the fact that Djibouti has withdrawn its forces to the status quo ante, as called for by the Security Council in the statement of its President dated 12 June 2008 (S/PRST/2008/20) and established by the fact-finding mission, and *condemns* the refusal of Eritrea to do so;

5. *Demands* that Eritrea:

(i) *Withdraw* its forces and all their equipment to the positions of the status quo ante, and ensure that no military presence or activity is being pursued in the area where the conflict occurred in Ras Doumeira and Doumeira Island in June 2008; and

(ii) *Acknowledge* its border dispute with Djibouti in Ras Doumeira and Doumeira Island, *engage* actively in dialogue to defuse the tension and *engage also* in diplomatic efforts leading to a mutually acceptable settlement of the border issue; and

(iii) *Abide* by its international obligations as a Member of the United Nations, *respect* the principles mentioned in article 2, paragraphs 3, 4, and 5, and article 33 of the Charter, and *cooperate* fully with the Secretary-General, in particular through his proposal of good offices mentioned in paragraph 3;

6. *Demands* that Eritrea comply immediately with paragraph 5 above and, in any case, no later than five weeks after the adoption of this resolution;

7. *Requests* the Secretary-General to provide to it a report on the evolution of the situation, and on the compliance by both parties with their obligations, and on his contacts with both parties and, as appropriate, with the African Union and other relevant regional organizations no later than six weeks after the adoption of this resolution;

8. *Decides* to review the situation six weeks from the adoption of this resolution, on the basis of the report mentioned in paragraph 7, with a view to taking, as appropriate, a further decision;

9. *Decides* to remain actively seized of the matter.

United Nations A/ES-10/435–S/2009/26

General Assembly
Security Council

Distr.: General
9 January 2009

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 9 January 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Yesterday, 8 January 2009, the United Nations Security Council took an important step towards upholding its responsibility for the maintenance of international peace and security vis-à-vis the question of Palestine. After nearly two weeks of incessant calls upon the Council to act to address the crisis and suffering being endured by the Palestinian people in the Gaza Strip, and after a long series of intensive meetings and consultations, including at the Ministerial level, the Council adopted resolution 1860 (2009), which, among many important provisions, calls in the immediate stage for "an immediate, durable and fully respected ceasefire" and "the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including food, fuel and medical treatment".

At this stage, it is imperative that the Security Council and all concerned parties exert the necessary efforts and work to follow up the effective implementation of this resolution to bring an end to all military activities and violence, to address the serious humanitarian and economic needs of the Palestinian civilian population in the Gaza Strip, who have for too long been under Israel's inhumane siege, and to help the parties return from the precipice to which this crisis has brought us and back to the path of peace. For its part, the Palestinian leadership affirms its commitment to uphold its responsibilities in this regard in order to address most effectively and rapidly the many serious and urgent issues facing the Palestinian people at this difficult time.

Regrettably, as we await the implementation of resolution 1860 (2009), the Israeli military onslaught against the Palestinian civilian population in the Gaza Strip continues, with more and more civilians being killed and injured by the occupying forces and greater destruction being wreaked on the already debilitated Gaza Strip; the humanitarian situation remains grave. As of today, more than 800 Palestinians have been killed by the occupying forces, including at least 260 children, and more than 3,300 Palestinians have been injured, including more than 1,000 children.

09-20529 (E) 120109

Such horrific figures underscore the extreme gravity of the situation that continues to be faced by Palestinian children and their families, with some families being killed in their entirety and some families completely buried in homes, struck by missiles and artillery that have collapsed upon them. Undoubtedly, the trauma, suffering and terror being inflicted on this civilian population will have vast short- and long-term consequences on the well-being and stability of those children and their families. The United Nations Office for the Coordination of Humanitarian Affairs and the United Nations Children's Fund have warned of the exacerbation of the critical humanitarian situation and of the great risk posed to civilian life, particularly the lives of children and other vulnerable segments of the population, as Israel's military campaign in Gaza rages on.

In this regard, even those who have been killed and wounded have not been given the dignity or emergency treatment needed, owing to the occupying Power's hampering of rescue efforts. As report by international organizations, including the International Committee of the Red Cross, rescue workers continue to be subjected to unacceptable delays or obstruction of access by the Israeli occupying forces, impeding efforts to reach the victims of the military attacks. In one shocking incident, Red Cross and Red Crescent workers, who had to wait for four days for permission to undertake a rescue effort of shelled homes in Gaza City, found 4 small children next to their dead mothers in one home and found 1 man alive in the rubble of another home alongside 12 dead civilians. The children, nearly starved and completely traumatized, were too weak to stand on their own. Due to the inability of ambulances to reach them, the children and other wounded found in the area had to be transported by carts to ambulances waiting to provide them with emergency medical care, which is already scarce in Gaza since the health services there are, according to the World Health Organization, "on the point of collapse".

Israel continues to refuse requests by rescue workers to access destroyed homes and buildings where dead and wounded civilians are reported to be. This, among many other deplorable actions being committed by the occupying Power against the Palestinian civilian population, constitutes a grave violation of Israel's obligations as an occupying Power under international humanitarian law and of human rights law. Such violations must be vehemently condemned, and the international community must continue to demand that Israel abide by the Fourth Geneva Convention and all other relevant provisions of international law and should act to hold Israel accountable for the war crimes it is perpetrating against the Palestinian people. In this regard, we welcome the call by the United Nations High Commissioner for Human Rights for an independent investigation of the crimes committed by Israel, the occupying Power, in Gaza.

In closing, as this tragic crisis regrettably continues, we reiterate our call for all efforts to be made to implement Security Council resolution 1860 (2009) and, in this connection, express our strong hope that current diplomatic initiatives, including the Egyptian initiative and the other international and regional efforts that are under way, will come to fruition to bring an end to the disastrous situation in Gaza and bring relief for the Palestinian civilian population. Moreover, we stress the urgency in this regard of continued efforts by the international community and relevant United Nations organs and specialized agencies to effectively address the many political, humanitarian, socio-economic and security ramifications of this crisis.

This letter is in follow-up to our previous 329 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 6 January 2009 (A/ES-10/433-S/2009/8), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice. (As all the victims have not yet been identified, their names will be included in an annex to a future letter.)

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

United Nations S/2009/27

Security Council

Distr.: General
9 January 2009

Original: English

Identical letters dated 8 January 2009 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write the present letter of complaint regarding a very serious incident of vital importance to the United Nations. Today, 8 January 2009, three Katyusha rockets were fired from Lebanese territory into Israel, striking the area of Nahariya. One of the rockets hit a nursing home and as a result, two elderly women were wounded.

This attack represents a blatant violation of Security Council resolution 1701 (2006). It proves that terrorist groups remain active in southern Lebanon and that weapons continue to be smuggled into Lebanese territory — including the area of operation of the United Nations Interim Force in Lebanon (UNIFIL). For over two years, Israel has repeatedly alerted the Council and the United Nations regarding the ongoing transfer of weapons to southern Lebanon and into the hands of Hizbullah and other terrorist groups. Such a phenomenon constitutes a threat to regional peace and security, as today's provocative act sought to destabilize the region and draw Israel into a larger conflict as it confronts Hamas terrorists in the Gaza Strip.

Today's attack clearly demonstrates that the Government of Lebanon must take all necessary action to fully implement resolution 1701 (2006). Israel holds the Government of Lebanon responsible for ensuring that its territory is not used for hostile activities against Israel, and for taking all measures to prevent the smuggling of weapons into its territory. In this respect, the prevention of arms smuggling — in Lebanon as in the Gaza Strip — is a vital element in achieving regional stability.

Additionally, today's event further strengthens Israel's demand that UNIFIL engage in robust action in order to discharge its mandate to establish in its area of operation an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and UNIFIL. To this end, UNIFIL must conduct a thorough investigation and take the necessary steps to prevent a recurrence of this attack. Furthermore, Israel demands the implementation of effective mechanisms to ensure that weapons are not smuggled into Lebanon.

I wish to reiterate that Israel will take all necessary measures to protect its citizens from the escalating threat of terrorism.

09-20547 (E) 120109

I should be grateful if you would have this letter distributed as a document of the Security Council.

(*Signed*) Gabriela **Shalev**
Ambassador
Permanent Representative

United Nations S/2009/28

Security Council

Distr.: General
12 January 2009

Original: English

Letter dated 12 January 2009 from the Permanent Representative of Eritrea addressed to the President of the Security Council

Eritrea expresses deep concern and disappointment at the ongoing attempt by certain members of the Council to adopt a resolution in relation to a question of "Djibouti-Eritrea" on the basis of unfounded accusations against Eritrea.

The Eritrean people have not forgotten when Eritrea was unjustly and irresponsibly federated with Ethiopia in 1952, under a General Assembly resolution, due to geopolitical interests of certain powerful nations and against its wishes and aspirations for independence like any other African State that was under European colonization. The silence of the United Nations on the abrogation of the federal system in 1962 in violation of General Assembly resolution 390 (V) of 2 December 1950, under the pressure of certain Powers, that led to the 30 years of suffering of the Eritrean people until the country was liberated in 1991 is also still vivid in the minds of the Eritreans.

It is saddening, once again, to witness silence on the part of the Security Council at Ethiopia's rejection of the Eritrea-Ethiopia Boundary Commission's award, in accordance with the Algiers Peace Agreements, and the continued occupation by Ethiopia of sovereign Eritrean territories under the influence of some members. It is regrettable that Eritrea is falling victim for the fourth time to political intrigues of major Powers by manufacturing a "Djibouti-Eritrea border conflict" and attempting to make it a common feature in the works of the Security Council under the agenda item of "Peace and security in Africa".

The condemnation of Eritrea in June, followed by the dispatching of a fact-finding mission to our subregion, which essentially translates into putting the cart before the horse, has clearly demonstrated how certain members of the Council are bent on pursuing national interests with little or no regard to the facts on the ground and to the maintenance of regional peace and security. Eritrea has not occupied any land that belongs to Djibouti and it cannot accept a resolution that demands the "withdrawal of its forces" from its own territory.

Eritrea urges the Security Council members to exercise utmost caution before considering a draft text that aims to stir and internationalize a conflict between two sisterly countries that are capable of resolving any differences that might occur.

I would be most grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Araya **Desta**
Ambassador
Permanent Representative

09-20625 (E) 130109

United Nations S/2009/29

Security Council

Distr.: General
12 January 2009
English
Original: English/French

France: draft resolution

The Security Council,

Recalling its resolutions and the statements of its President concerning Chad, the Central African Republic and the subregion, including resolution 1778 (2007), resolution 1834 (2008), and its resolution 1769 (2007),

Reaffirming its commitment to the sovereignty, unity, territorial integrity and political independence of Chad and the Central African Republic, and to the cause of peace in the region,

Reiterating its concern at the humanitarian and security repercussions in eastern Chad and the north-eastern Central African Republic of the ongoing violence in Darfur,

Deeply concerned at armed activities and banditry in eastern Chad, the north-eastern Central African Republic and western Sudan which threaten the security of the civilian population, the conduct of humanitarian operations in those areas and the stability of those countries, and which result in serious violations of human rights and international humanitarian law,

Welcoming the recent resumption of diplomatic relations between the Governments of Chad and Sudan and the efforts by the Government of Libya to promote it, and *stressing* that a further improvement of relations between Sudan, Chad and the Central African Republic will contribute to long-term peace and stability in the region,

Stressing also that a proper settlement of the Darfur issue, the full implementation of the Sirte and Libreville agreements, and the efforts of national political dialogue in Chad and the Central African Republic, will contribute to long-term peace and stability in the region and to the voluntary, secure and sustainable return of refugees and internally displaced persons,

Reiterating its full support for the efforts of the Secretary-General, the African Union and regional actors to find solutions to armed conflicts in the region,

Reaffirming that any attempt at destabilization through violent means or seizing power by force is unacceptable,

Reaffirming its resolutions 1325 (2000) and 1820 (2008) on women, peace and security, 1502 (2003) on the protection of humanitarian and United Nations personnel, and 1674 (2006) on the protection of civilians in armed conflict,

09-20832 (E) 140109

Reaffirming its resolution 1612 (2005) on children in armed conflict, *taking note* of the report of the Secretary-General on children and armed conflict in Chad (S/2008/532) and the recommendations therein, and *recalling* the conclusions regarding Chad adopted by its Working Group on Children and Armed Conflict (S/AC.51/2008/15), as approved by the Council,

Recognizing that the Governments of Chad and the Central African Republic bear primary responsibility for ensuring the security of civilians in their territories,

Bearing in mind the Convention relating to the Status of refugees of 28 July 1951 and its additional protocol of 16 December 1966, along with the 1969 Convention of the Organization of African Unity governing the specific aspects of refugee problems in Africa,

Emphasizing the need to respect international refugee law, preserve the civilian and humanitarian nature of the refugee camps and internally displaced persons sites and prevent any recruitment of individuals, including children, which might be carried out in or around the camps and sites by armed groups,

Recalling its authorization under resolution 1778 of a multidimensional presence in the regions of eastern Chad and the north-eastern Central African Republic indicated in paragraph 37 of the report of the Secretary-General (S/2007/488) of 10 August 2007 (hereinafter referred to as "eastern Chad and the north-eastern Central African Republic"),

Commending the deployment by the European Union of an operation (EUFOR Chad/CAR) to support the United Nations Mission in the Central African Republic and Chad (MINURCAT), and *recalling* that the mandate of EUFOR Chad/CAR runs until 15 March 2009,

Welcoming the ongoing selection and training by MINURCAT of police and gendarmerie officers of the Détachement intégré de sécurité (DIS), and *stressing* the need to expedite the deployment of DIS,

Having examined the report of the Secretary-General (S/2008/760) of 4 December 2008 (hereinafter referred to as "the report of the Secretary-General") and its recommendations on the arrangements for following up EUFOR Chad/CAR at the end of its mandate,

Welcoming the letter from the President of Chad dated 6 January 2009 and the letter from the President of the Central African Republic dated 5 December 2008 regarding the deployment of a military component of MINURCAT in both countries to follow up EUFOR at the end of its mandate,

Determining that the situation in the region of the border between the Sudan, Chad and the Central African Republic constitutes a threat to international peace and security,

1. *Decides* to extend for a period of 12 months, in accordance with paragraphs 2 to 7 below, the multidimensional presence in Chad and military presence in the Central African Republic intended to help create the security conditions conducive to a voluntary, secure and sustainable return of refugees and displaced persons, inter alia by contributing to the protection of refugees, displaced persons and civilians in danger, by facilitating the provision of humanitarian assistance in eastern Chad and the north-eastern Central African Republic and by

creating favourable conditions for the reconstruction and economic and social development of those areas;

2. *Decides*, for that purpose, to extend until 15 March 2010 the mandate of MINURCAT, as set out in paragraphs 6 and 7 below;

3. *Authorizes* the deployment of a military component of MINURCAT to follow up EUFOR in both Chad and the Central African Republic at the end of its mandate, *welcomes* the concept of operations proposed in paragraphs 57 to 61, and in option 2 of paragraph 62 of the report of the Secretary-General, and *decides* that the transfer of authority between EUFOR and the military component of MINURCAT will take place on 15 March 2009;

4. *Decides* that MINURCAT shall include a maximum of 300 police officers, 25 military liaison officers, 5200 military personnel, and an appropriate number of civilian personnel;

5. *Recalls* that in paragraph 5 of resolution 1778, it endorsed the police concept referred to in the report of the Secretary-General (S/2007/488) of 10 August 2007, including the provisions regarding the establishment of the Police tchadienne pour la protection humanitaire (PTPH), now Détachement intégré de sécurité (DIS), which is dedicated exclusively to maintaining law and order in refugee camps, sites with concentrations of internally displaced persons and key towns in neighbouring areas and to assisting in securing humanitarian activities in eastern Chad;

6. *Decides* that MINURCAT shall have the following mandate in eastern Chad and the north-eastern Central African Republic, in liaison with the United Nations country team and, as appropriate, in liaison with the United Nations Peacebuilding Support Office in the Central African Republic (BONUCA) and without prejudice to the mandate of BONUCA:

Security and protection of civilians

(a) To select, train, advise and facilitate support to elements of the Détachement intégré de sécurité referred to in paragraph 5;

(b) To liaise with the national army, the gendarmerie and police forces, the nomad national guard, the judicial authorities and prison officials in Chad and the Central African Republic to contribute to the creation of a more secure environment, combating in particular the problems of banditry and criminality;

(c) To liaise with the Chadian Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) in support of their efforts to relocate refugee camps which are in close proximity to the border, and to provide to UNHCR, on availability and cost-reimbursable basis, logistical assistance for that purpose;

(d) To liaise with the Sudanese Government, the African Union/United Nations Hybrid Operation in Darfur (UNAMID), BONUCA, the Multinational Force of the Economic Community of Central African States in the Central African Republic (MICOPAX) and the Community of Sahelo-Saharan States (CEN-SAD) to exchange information on emerging threats to humanitarian activities in the region;

(e) To support the initiatives of national and local authorities in Chad to resolve local tensions and promote local reconciliation efforts, in order to enhance the environment for the return of internally displaced persons;

Human rights and the rule of law

(f) To contribute to the monitoring and to the promotion and protection of human rights in Chad, with particular attention to sexual and gender-based violence, and to recommend action to the competent authorities, with a view to fighting impunity;

(g) To support, within its capabilities, efforts aimed at strengthening the capacity of the Government of Chad and civil society through training in international human rights standards, and efforts to put an end to recruitment and use of children by armed groups;

(h) To assist the Government of Chad in the promotion of the rule of law, including through support for an independent judiciary and a strengthened legal system, in close coordination with United Nations agencies;

Regional peace support

(i) To continue to play a role as observer with UNAMID in the Contact Group that was established under the 13 March 2008 Dakar Accord to monitor its implementation and assist, as necessary, the Governments of Chad, the Sudan and the Central African Republic to build good neighbourly relations;

7. *Acting* under Chapter VII of the Charter of the United Nations:

(a) *Decides* further that MINURCAT shall be authorized to take all necessary measures, within its capabilities and its area of operations in eastern Chad, to fulfil the following functions, in liaison with the Government of Chad:

(i) To contribute to protecting civilians in danger, particularly refugees and internally displaced persons;

(ii) To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by helping to improve security in the area of operations;

(iii) To protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its staff and United Nations and associated personnel;

(b) *Decides* further that MINURCAT shall be authorized to take all necessary measures, within its capabilities and its area of operations in the north-eastern Central African Republic, to fulfil the following functions, through establishing a permanent military presence in Birao and in liaison with the Government of the Central African Republic:

(i) To contribute to the creation of a more secure environment;

(ii) To execute operations of a limited character in order to extract civilians and humanitarian workers in danger;

(iii) To protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its staff and United Nations and associated personnel;

(c) *Noting* the agreements entered into by the Secretary-General and the Governments of Chad and the Central African Republic on the status of MINURCAT, dated 21 March 2008 and 21 November 2008 respectively, *requests* the Secretary-General and both Governments to conclude, prior to 15 March 2009, amendments to those agreements to ensure that they fully cover MINURCAT, including its military component authorized by this resolution, taking into account General Assembly resolution 59/47 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, General Assembly resolution 60/42 on the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel and General Assembly resolution 63/138 on the Safety and Security of Humanitarian Personnel and the Protection of United Nations Personnel, and *decides* that the model status-of-forces agreement of 9 October 1990 (A/45/594) shall apply provisionally to supplement the existing agreements pending their amendment;

8. *Requests* the Secretary-General and the Governments of Chad and the Central African Republic to cooperate closely throughout the period of deployment of MINURCAT;

9. *Recalls* that it authorized the European Union operation, after 15 March 2009, to take all appropriate measures to achieve an orderly disengagement, by means including fulfilment of the functions indicated in paragraph 6, subparagraph a of resolution 1778, within the limits of its residual capacity;

10. *Requests* the European Union and the Secretary-General to continue to cooperate closely throughout the period of deployment of the European Union operation, until its complete disengagement;

11. *Underscores* the importance that the military concept of operations and rules of engagement be fully in line with the provisions of this resolution, and *requests* the Secretary-General to report on them to the Security Council and Troop Contributing Countries;

12. *Encourages* the Governments of Chad and the Central African Republic to continue to cooperate with the United Nations and the European Union to facilitate the smooth transition from EUFOR to the United Nations military component, including the handover of all sites and infrastructure established by EUFOR to the United Nations follow-on presence;

13. *Calls on* the Government of Chad, and MINURCAT according to its mandate, to expedite and complete the selection, training and deployment of DIS;

14. *Encourages* Member States to contribute the necessary force requirements for MINURCAT, in particular the helicopters, reconnaissance elements, engineers, logistics and medical facilities;

15. *Urges* all the Member States, particularly the States bordering Chad and the Central African Republic, to facilitate the delivery to Chad and the Central African Republic freely, without obstacles or delay, of all personnel, equipment, provisions, supplies and other goods, including vehicles and spare parts, intended

for MINURCAT, and the European Union operation until its complete disengagement;

16. *Invites* donors to continue to contribute to the MINURCAT trust fund, established to support DIS;

17. *Exhorts* the donor community to sustain its efforts to address the humanitarian, reconstruction and development needs of Chad and the Central African Republic;

18. *Calls upon* all the parties to cooperate fully in the deployment and operations of MINURCAT, and the European Union operation until its complete disengagement, including by guaranteeing the security and freedom of movement of their personnel and associated personnel;

19. *Encourages* the respective Governments of the Sudan, Chad and the Central African Republic to ensure that their territories are not used to undermine the sovereignty of others, to cooperate actively with a view to implementing the Dakar Accord of 13 March 2008 and previous agreements, and to cooperate with a view to putting an end to the activities of armed groups in the region and their attempts to seize power by force, and *welcomes* the role played in particular by the Dakar Contact Group, the Governments of Libya and the Republic of Congo as African Union mediators, as well as the African Union and the United Nations, including through the Special Representative of the Secretary-General, head of MINURCAT, in support of the Dakar process;

20. *Demands* that armed groups cease violence immediately and *urges* all parties in Chad and the Central African Republic, respectively, to respect and implement the Sirte agreement of 25 October 2007 and the comprehensive peace agreement signed in Libreville on 21 June 2008;

21. *Encourages* the authorities and political stakeholders in Chad and the Central African Republic to continue to pursue their efforts of national dialogue, with respect for the constitutional frameworks, *welcomes* the holding of the inclusive political dialogue in the Central African Republic, with the support of the dialogue Chair, Pierre Buyoya, and the regional peace facilitator, President Omar Bongo Ondimba of Gabon, and the conclusion of the inclusive political dialogue that calls for a government gathering the entities participating in the dialogue, *emphasizes* also the importance of the political agreement for the reinforcement of the democratic process signed in N'Djamena on 13 August 2007 and *encourages* the parties to proceed with its implementation in particular with a view to holding early elections;

22. *Reaffirms* the obligation of all parties to implement fully the rules and principles of international humanitarian law, particularly those regarding the protection of humanitarian personnel, and furthermore *requests* all the parties involved to provide humanitarian personnel with immediate, free and unimpeded access to all persons in need of assistance, in accordance with applicable international law;

23. *Encourages* efforts by MINURCAT and the United Nations country team, including through the appointment of child protection advisers, to prevent the recruitment of refugees and children and to maintain the civilian nature of refugee

camps and internally displaced person sites, in coordination with DIS and the humanitarian community;

24. *Takes note* of the measures already undertaken by the authorities of Chad to put an end to the recruitment and use of children by armed groups, *encourages* them to pursue their cooperation with United Nations bodies in this regard, particularly UNICEF, and *calls on* all the parties involved to ensure that children are protected;

25. *Endorses* the benchmarks presented in paragraph 70 of the report of the Secretary-General towards the exit strategy of MINURCAT, and *stresses* in particular the following:

(a) Voluntary return and resettlement in secure and sustainable conditions of a critical mass of internally displaced persons;

(b) Demilitarization of refugee and internally displaced person camps as evidenced by a decrease in arms, violence and human rights abuses;

(c) Improvement in the capacity of Chadian authorities in eastern Chad, including national law enforcement agencies, the judiciary and the prison system to provide the necessary security for refugees, internally displaced persons, civilians and humanitarian workers with respect for international human rights standards;

26. *Stresses* that an improved capacity of the Government of the Central African Republic to exercise its authority in the north-eastern part of the country is also critical to the fulfilment of the objectives of MINURCAT as set out in paragraph 1, and *calls on* the Government of the Central African Republic, Member States, BONUCA, United Nations agencies and the Peacebuilding Commission, to provide the necessary support to the reform of the security sector in the Central African Republic;

27. *Stresses* that improved cooperation between the Sudan, Chad and the Central African Republic with a view to putting an end to the activities of armed groups in the region is also critical to the restoration of peace and security in eastern Chad and the north-eastern Central African Republic;

28. *Requests* the Secretary-General to continue to report regularly, and at least every three months, on the security and humanitarian situation, including movements of refugees and internally displaced persons, in eastern Chad, the north-eastern Central African Republic and the region, on progress in the implementation of the relevant agreements, on progress towards the fulfilment of the benchmarks in paragraphs 25 and 26 above, and on the implementation of the mandate of MINURCAT, and to provide the Security Council, with the same regularity, a specific update on the military situation;

29. *Requests* the Secretary-General to inform the Security Council in his upcoming reports on the development of a strategic workplan containing indicative timelines to measure and track progress on the implementation of the benchmarks in paragraphs 25 and 26 above with a view to meeting them by 15 March 2011;

30. *Stresses* that it will take duly into account the progress against those benchmarks when considering the possible renewal of MINURCAT's mandate beyond 15 March 2010;

31. *Decides* to remain actively seized of the matter.